

1  
2  
3  
4  
5  
6  
7  
8  
9

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 ROYAL YATES, )  
13 )  
14 Plaintiff(s), ) No. C05-1510 BZ  
15 v. )  
16 )  
17 GUNNALLEN FINANCIAL and CURT )  
18 WILLIAMS, )  
19 Defendant(s). )  
\_\_\_\_\_  
20

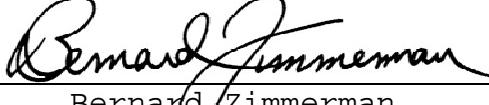
21 Pursuant to Civil Local Rule 7-9(d), plaintiff is **ORDERED**  
22 by **August 9, 2006** to file a response to GunnAllen Financial's  
23 ("GunnAllen") motion for leave to file a motion for  
24 reconsideration on two points only:

25 1. Whether the motion is timely, given that a judgment  
26 has been entered, as contemplated by Civil Local Rule 7-9(a)  
but, the remittitur having been rejected, there will be a new  
trial on at least one issue; and

27 2. The impact of the amendment to Federal Rule of Civil  
28 Procedure 51 in 2003 on the court's prior ruling that

1 GunnAllen cannot now claim that instructions it proffered  
2 should not have been given because of the invited error  
3 doctrine. If GunnAllen wishes to reply, it shall do so **by**  
4 **August 11, 2006.**

5 Dated: August 3, 2006

6   
7 Bernard Zimmerman  
United States Magistrate Judge

8 G:\BZALL\-\BZCASES\YATES 2\BRIEFING.ORD.8.3.06.WPD

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28